

### **Amendments to the Drawings**

The attached sheets of drawings are a copy of formal drawings. No amendment has been made.

Attachment: Replacement Sheets 1-5

### **Remarks/Arguments**

Claims 1-8 are pending and are rejected.

Claims 1, 2, 3, and 5 are amended, and claim 9 is added. Claim 5 is amended to conform to changes made to claim 1.

Applicants have also taken the opportunity to submit herein a copy of formal drawings.

### **Rejection of claim 1 under 35 U.S.C. 103(a)**

Responsive to the rejection of claim 1 under 35 U.S.C. 103(a) as being unpatentable over WO 98/10589 ("Blake") in view of US 6,772,433 ("LaJoie"), applicants have amended claim 1 to more particularly point out and distinctly claim subject matter that applicants regard as the invention and submit that amended claim 1 is patentable over the two references for the reasons discussed below.

Claim 1 recites a method for operating a video processing apparatus, comprising the steps of:

*receiving by said video processing apparatus an electronic message remotely, said electronic message comprising information relating to time and channel data of a selected event;*

*processing said electronic message in said video processing apparatus to determine said time and channel of the selected event; and*

*forwarding by said video processing apparatus another electronic message if there is a conflict between said time and channel data and a preexisting timer event.*

Thus the three steps are performed by the video processing apparatus. An example of the video processing apparatus is a television. See, for example, page 7, lines 14-24 of the present application.

By contrast, Blake discloses that a user may remotely instruct a VCR to record a program by remotely connecting to a central processing system 334, which communicates with the VCR. See FIG. 13, and page 17, lines 3-5. The user must first communicably connect an input device 332, such as a telephone, to the central processing system 334. See page 17, lines 3-8. The user may enter a program code, and the central processing system 334 determines the corresponding program and may require the user to confirm the selected program. See page 17, lines 10-12. After receiving the confirmation, the central processing system 334 stores the information, and at the appropriate time, a recording device 336, which can be a VCR, at the user's home will be activated to record the selected program. See page 17, lines 12-15, and 19-21.

Thus, if we interpret the central processing system 334 as the video processing apparatus, as pointed out in the Office Action, Blake does not disclose or suggest the forwarding step. Actually, the central processing 334 does not process any video signal and should not be interpreted as the video processing apparatus.

If we interpret the recording device 336 as the video processing apparatus, Blake not only does not disclose the forwarding step as pointed out in the Office Action but also does not disclose or suggest the receiving and processing steps.

The Office Action, however, relies upon LaJoie to cure the defects. Although, as pointed out in the Office Action, LaJoie discloses that a set-top box may display a warning window 272 when there is a timer conflict at lines 62-65, LaJoie does not

disclose or suggest that the set-top box can remotely receive an electronic message comprising information relating to time and channel data of a selected event, and, thus, does not disclose or suggest the processing step. Furthermore, LaJoie does not disclose or suggest that the set-top box can forward an electronic message, as recited in amended claim 1.

Since, as discussed above, the central processing system 334 should not be interpreted as the video processing apparatus as recited in amended claim 1, modifying the central processing system 334 to incorporate the display of the warning window 272 does not arrive at the claimed invention, as alleged in the Office Action. As such, amended claim 1 is patentable over Blake in view of LaJoie.

**Rejection of claims 2-8 under 35 U.S.C. 103(a)**

Responsive to the rejection of claims 2-8 under 35 U.S.C. 103(a) as being unpatentable over Blake in view of US 2004/0103439 ("Macrae"), applicants respectfully submit that these claims are patentable because the central processing system 334 in the system disclosed in Blake should not be interpreted as a video processing apparatus, as discussed above with respect to claim 1. However, in the interest of advancing the prosecution, applicants have amended claim 2 to more particularly point out and distinctly claim the subject matter that applicants regard as the invention and submit that amended claim 2, and dependent claims 3-8, are patentable over the two references for the reasons discussed below.

Claim 2 is amended to recite that the subject of the email comprises an operating command and the video processing apparatus is operated in response to the operating command and the control information. Support for this feature can be found, for example, at page 8, lines 15-18 and on FIG. 5, where the subject of the email

indicates a record command. Specifically, amended claim 2 recites a method for operating a video processing apparatus, the method comprising the steps of:

*receiving a message directly from a user in email format including sender, subject and control information, wherein the subject comprises an operating command for operating said video processing apparatus;*

*processing, in said video processing apparatus, said message to determine said control information; and*

*operating said video processing apparatus in response to said operating command and said control information.*

Although Blake at page 18, lines 27-29 discloses that a user may send recording requests via e-mail to the account connected to processing system 334, Blake does not disclose that an operating command is included in the subject of the e-mail. Macrae also does not disclose that an operating command for operating a video processing apparatus is include in the subject field of the e-mail, even though Macrae discloses that an e-mail must include a subject field. As such, Blake and Macrae, considered singly and in combination, do not disclose or suggest a method for operating a video processing apparatus, comprising the step of receiving a message directly from a user in email format including sender, subject, and control information, wherein the subject comprises an operating command for operating the video processing apparatus, as recited in amended claim 2. Therefore, amended claim 2, and dependent claims 3-8, are patentable over Blake and Macrae.

Furthermore, claim 3 is amended to recite that the control information is disposed in a message portion of an email and comprises at least a password, channel data, and time data. Support for the amendment can be found, for example, on FIG. 5.

Nowhere do Blake and Macrae disclose or suggest that the message portion of an email comprises a password. Thus, amended claim 3 is patentable for this reason alone.

The Office Action, however, states that Blake at page 18, lines 24-29 states that a user must log onto an account and asking for user confirmation, and, therefore, the user must supply some sort of identifying information, such as a password, to successfully log onto the central processing system 334. Applicants respectfully disagree. First, the confirmation referred to is confirming whether the selected program is what the user intended. See page 17, lines 11-13. It is not a verification of a user-entered password. Second, even if the user must log onto the central processing system 334 with a password, the password is not included in a message portion of an email as recited in amended claim 3.

#### **New claim**

Claim 9, depending directly from amended claim 1, is added to recite that the received electronic message includes a password for user verification by the video processing apparatus. Support for the feature can be found, for example, on FIG. 5. Claim 9 is patentable over Blake in view of LaJoie for its dependence from claim 1. Furthermore, neither Blake nor LaJoie discloses that a password for user verification is included in a portion of the received electronic message, which also comprises information relating to time and channel data of a selected event. As such, claim 9 is patentable for this reason alone.

#### **Conclusion**

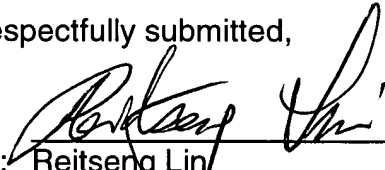
Having fully addressed the Examiner's objections and rejections it is believed that, in view of the preceding amendments and remarks, this application stands in

condition for allowance. Accordingly, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at (609) 734-6813, so that a mutually convenient date and time for a telephonic interview may be scheduled.

**Fee**

No fee is believed due. However, if a fee is due, please charge the fee to Deposit Account 07-0832.

Respectfully submitted,

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**CERTIFICATE OF MAILING**

I hereby certify that this amendment is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to [Mail Stop Amendment], Commissioner for Patents, Alexandria, Virginia 22313-1450 on:

7-27-05  
Date

Karen Schleich